

Doc # 5300

ADOPTED

APRIL 19, 1990

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
GAY FORBES, DEPUTY DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on 37 zoning petitions have been prepared by Authority staff for transmittal to the Board of Appeal.

<u>Neighborhoods</u>	<u>Approval</u>	<u>Recommendations</u>		<u>Deferral</u>
		<u>Denial</u>	<u>Denial w/o Prejudice</u>	
Allston-Brighton	2		1	
Back Bay	1	1		
Beacon Hill				
Charlestown	2			
Chinatown				
City Proper				
Dorchester	4	2		
East Boston	5			
Fenway				1
Government Center				
Hyde Park	2			
Jamaica Plain	2			1
Kenmore				
Mattapan	1			
North End				
Roslindale	2			
Roxbury	2			
South Boston	2			
South Cove				
South End	2			
West Roxbury	2	1		

Allston-Brighton

Approval Z-13633. 50 Parkvale Ave. Twenty four apartments.

Approval Z-13635. 367 Western Ave. Addition.

MS13/18.BM
041790/1

Denial w/o Prejudice Z-13680. 56-58 Bellamy St. Addition.

Back Bay

Denial Z-13551. 237 Beacon St. Lodging house.

Approval Z-13658. 16 Cumberland St. Five apartments.

Charlestown

Approval Z-13688. 5R Salem St. Roof deck.

Approval Z-14042. 142-144 Bunker Hill St. Combine buildings.

Dorchester

Approval Z-13653. 9-11 Kimball St. Parking lot.

Approval Z-13657. 39-41 Howe St. Two family dwelling.

Approval Z-13656. 645 Wm. T. Morrissey Blvd. Addition.

Approval Z-13664. 34 Algonquin St. Lodging house.

Denial Z-13678. 171 Wilmington Ave. Three family dwelling.

Denial Z-13874-14043. 105 Homes Ave. Repair garage. Used car sales.

East Boston

Approval Z-13655. 336-340 Chelsea St. Glass repair.

Approval Z-13665. 43 Bennington St. Two family dwelling.

Approval Z-13789. 37 Lexington St. Two family dwelling.

Approval Z-13844-13845. 237-239 Trenton St. Two family dwellings.

Approval Z-14057. 38 Beachview Rd. One family dwelling.

Fenway

Deferral Z-13647. 94-96 Hemenway St. Teller machine.

Hyde Park

- Approval Z-13908. 15 Gwinnett St. Additions.
Approval Z-13634. 637-643 River St. Restaurant.

Jamaica Plain

- Approval Z-13631. 19 Dalrymple St. Four apartments.
Approval Z-13679. 32 Orchard St. Dormers.
Deferral Z-13687. 313 Pond St. Alteration.

Mattapan

- Approval Z-13666. 27 Holmfield Ave. Enclose porch.

Roslindale

- Approval Z-13772. 90A Birch St. Two apartments.
Approval Z-13675. 24 Newberg St. Two family dwelling.

Roxbury

- Approval Z-13646. 103 Centre St. Auto repair; sale of used cars.
Approval Z-13667. 380-382 Warren St. Tavern.

South Boston

- Approval Z-13483. 306 West Broadway;. Replace gas tanks.
Approval Z-13681-13683. 421 & 430 Congress St. Parking lots.

South End

- Approval Z-13663. 86 Pembroke St. Two family dwelling.
Approval Z-13669. 1742-1744 Washington St. Take-out restaurant.

West Roxbury

- Denial Z-13662. 169 Temple St. Two family dwelling.
Approval Z-13677. 7 Sherbrook St. Living space.
Approval Z-14050. 5 Crest St. Deck.

BOARD OF APPEAL REFERRALS

April 19, 1990

Hearing

1. Z-13483	4/24/90	306 West Broadway, South Boston
2. Z-13551	5/8/90	237 Beacon Street, Boston
3. Z-13631	4/24/90	19 Dalrymple Street, Jamaica Plain
4. Z-13633	4/24/90	50 Parkvale Avenue, Allston
5. Z-13634	4/24/90	637-643 River Street, Hyde Park
6. Z-13635	4/24/90	367 Western Avenue, Brighton
7. Z-13646	4/24/90	1-3 Centre Street, Roxbury
8. Z-13647	4/24/90	94-96 Hemenway Street, Boston
9. Z-13653	5/1/90	9-11 Kimball Street, Dorchester
10. Z-13655	4/24/90	336-340 Chelsea Street, East Boston
11. Z-13656	4/24/90	645 Wm T Morrissey Boulevard, Dorchester
12. Z-13657	5/1/90	39-41 Howe Street, Dorchester
13. Z-13658	4/24/90	16 Cumberland Street, Boston
14. Z-13662	5/1/90	169 Temple Street, West Roxbury
15. Z-13663	4/24/90	86 Pembroke Street, Boston
16. Z-13664	4/24/90	34 Algonquin Street, Dorchester
17. Z-13665	4/24/90	43 Bennington Street, East Boston
18. Z-13666	4/24/90	27 Holmfield Avenue, Mattapan
19. Z-13667	5/1/90	380-382 Warren Street, Roxbury
20. Z-13669	5/1/90	1742-1744 Washington Street, Boston
21. Z-13675	5/8/90	24 Newberg Street, Roslindale
22. Z-13677	5/1/90	7 Sherbrook Street, West Roxbury
23. Z-13678	5/1/90	171 Wilmington Avenue, Dorchester
24. Z-13679	5/1/90	32 Orchard Street, Jamaica Plain

BOARD OF APPEAL REFERRALS

April 19, 1990

	<u>Hearing</u>	
25. Z-13680	5/1/90	56-58 Bellamy Street, Brighton
26. Z-13681-83	5/8/90	421 & 430 Congress Street, South Boston
27. Z-13687	5/1/90	313 Pond Street, Jamaica Plain
28. Z-13688	5/1/90	5r Salem Street, Charlestown
29. Z-13772	4/24/90	90a Birch Street, Roslindale
30. Z-13789	5/29/90	37 Lexington Street, East Boston
31. Z-13844-45	6/12/90	237-239 Trenton Street, East Boston
32. Z-13874 & 14043	5/8/90	105 Homes Avenue, Dorchester
33. Z-13908	5/1/90	15 Gwinnett Street, Hyde Park
34. Z-14042	5/1/90	142-144 Bunker Hill Street, Charlestown
35. Z-14057	9/11/90	38 Beachview Road, East Boston
36. Z-14050	5/8/90	5 Crest Street, West Roxbury
37. Z-13956-13957- -13959-13960	5/1/90	380A-B Longwood Avenue, 169-171 Pilgrim Road 18 Autumn Street, Boston

Hearing: 3/6/90 Z-13483
Shell Oil Company
306 West Broadway
South Boston

Site: Gas Service Station

District(s): Local business (B-1)

Purpose: Replace underground petroleum storage tanks increasing capacity from 25,000 to 38,000 gallons.

Violation(s): Extension of nonconforming use.

VOTED: In reference to petition Z-13483, Shell Oil Company, 306 West Broadway, South Boston, for extension of nonconforming use to replace underground petroleum storage tank increasing capacity from 25,000 to 38,000 gallons in a general business (B-1) district, the Boston Redevelopment Authority recommends approval. Site is an existing gas service station located at the corner of West Broadway and D Street; both heavily-trafficked streets. The increased capacity of tanks will reduce the number of oil truck deliveries thus adding to the public safety of pedestrians and patrons. Also, on-site circulation safety is increased.



U.S. POST OFFICE
GARAGE

WEST FIRST STREET

STREET

CYPHER

LOUIS

STREET

WEST FIRST STREET

BOLTON

WALL

WALL

WALL

WALL

DRAKE SCHOOL

GARDNER

Z-13483

306 WEST BROADWAY

SOUTH BOSTON

JOYCE HAYES WAY

POLICE STATION
N96

ST. VINCENT
80 PAUL
R.C. CH.

Hearing: 5/8/90 Z-13551
S. A. Cunningham, Trustee
237 Beacon Street
Boston

Site: Five-story structure

District(s): Apartment (H-3-65)

Purpose: Legalize occupancy-30 Lodgers

Violation(s): Change in nonconforming use.
Insufficient off-street parking.

VOTED: In reference to petition Z-13551, S. A. Cunningham, Trustee, 237 Beacon Street, Boston, for change in non conforming use and variance to legalize occupancy for thirty lodgers in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends denial. Authority has received written comments from abutters in opposition to this appeal about the excessive noise and vandalism caused by the present occupants. The Neighborhood Association of the Back Bay is opposed.



Z-13551

237 BEACON STREET BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13631
Louis L. Lima
19 Dalrymple Street
Jamaica Plain

Site: 6168 Square feet of land

District(s): Residential, three-family (R-.8)

Purpose: Erect four unit apartment structures

Violation(s): Insufficient lot area, rear yard, off street parking.

Interim Planning Overlay District.

VOTED: In reference to petition Z-13631, Louis L. Lima, 19 Dalrymple Street, Jamaica Plain, for three variances to erect a four unit apartment structure in a residential (R-.8) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval with design review. Proposed four-family dwelling on a 6168 square foot lot is appropriate in size and density for this neighborhood of three-family dwellings on small lots (3500-3800 square feet). Appellant has agreed to amend his plans to bring the front of the structure in line with the existing street-wall pattern on Dalrymple Street and shift off-street parking from the front to the side yard. Jamaica Plain Committee recommended approval with above proviso.



Z-13631

19 DALRYMPLE STREET BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13633
Frederick Lebow
50 Parkvale Avenue
Allston

Site: Three story structure

District(s): Apartment (H-1)

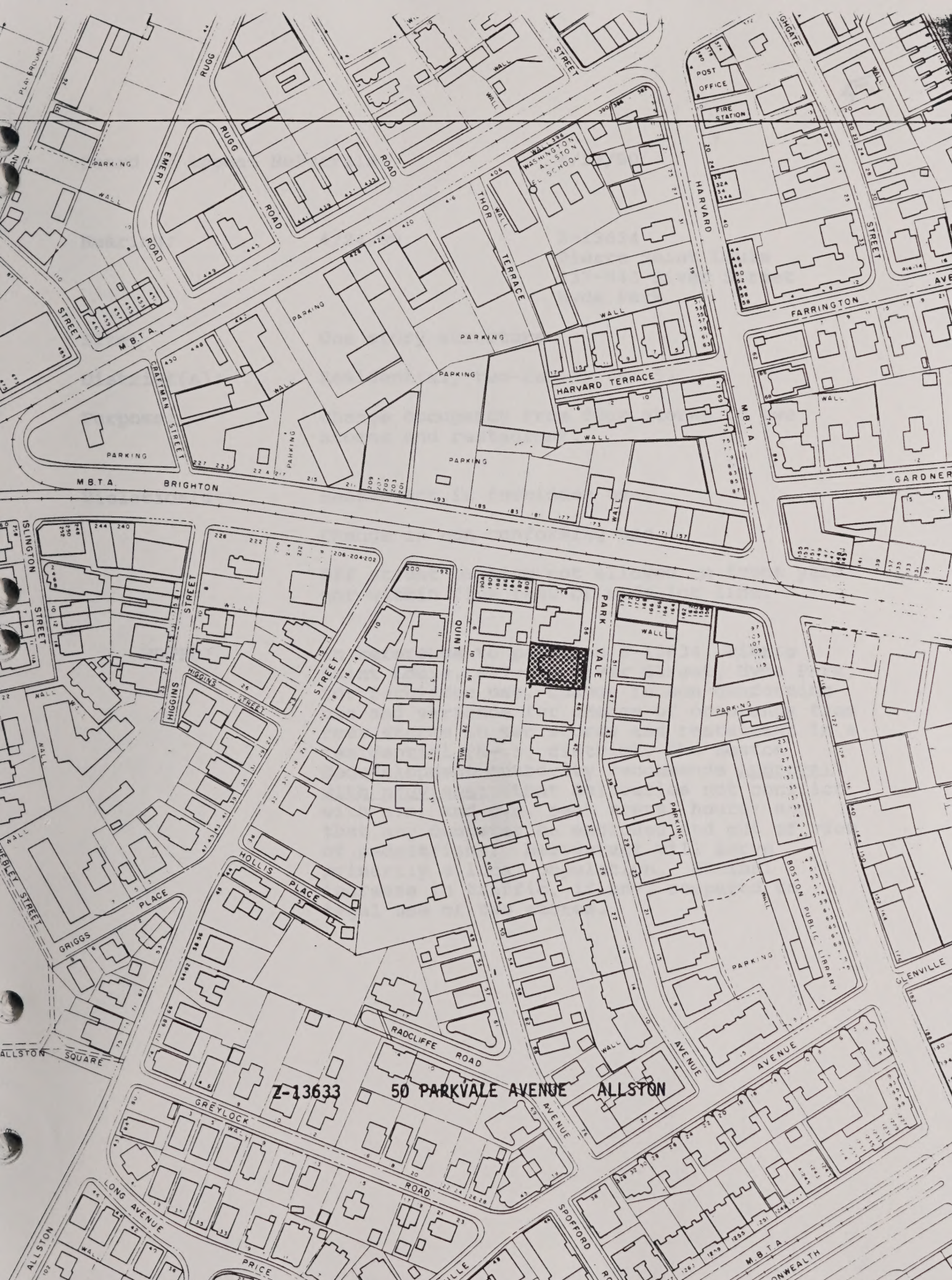
Purpose: Change occupancy from 18 to 24 apartments

Violation(s): Dwelling converted for more families is
forbidden use.

Insufficient lot area, open space, off street
parking, barrier free access.

Interim Planning Overlay District.

VOTED: In reference to petition Z-13633, Frederick
Lebow, 50 Parkvale Avenue, Allston, for
forbidden use and four variances for change
of occupancy from 18 to 24 apartments in an
apartment (H-1) Interim Planning Overlay
District, the Boston Redevelopment Authority
recommends Approval. Although there is a
significant lack of off-street parking
facilities in this neighborhood, the
Commonwealth Avenue subdistrict of the
Allston-Brighton Interim Planning Overlay
District, appellant claims that his property
has been occupied as twenty-four units for
the last twenty years, and evidence provided
by him indicates this to be true since at
least 1973. Building is assessed as twenty-
four condominium units. Granting this appeal
will not exacerbate existing parking,
traffic, or density conditions. Allston-
Brighton Planning and Zoning Advisory
Committee took no position.



Z-13633

50 PARKVALE AVENUE

ALLSTON

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13634
Pierre Saint Louis
637-643 River Street
Hyde Park

Site: One story structure

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from four stores to two
stores and restaurant.

Violation(s): Restaurant is forbidden use.

Change in non conforming use.

Off street parking not allowed in front yard
nor within five feet of side lot line.

VOTED: In reference to petition Z-13634, Pierre
Saint Louis, 637-643 River Street, Hyde Park,
for forbidden use, change in non conforming
use and variance for change of occupancy from
four stores to two stores and restaurant in a
residential (R-.5) district, the Boston
Redevelopment Authority recommends Approval
with provisos: that deliveries not conflict
with a.m. and p.m. peak travel hours; and
that any dumpster be enclosed and out of view
of pedestrians. Restaurant will serve
primarily a local population. Minimal
increase in traffic, if any, compared to
legal use of two stores.



Z-13634

637-643 RIVER STREET

HYDE PARK

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13635
1274 Realty Trust
367 Western Avenue
Brighton

Site: Two story structure

District(s): Manufacturing (M-1)

Purpose: Erect rear addition to office and store
structure

Violation(s): Interim Planning Overlay District

VOTED: In reference to petition Z-13635, 1274 Realty Trust, 367 Western Avenue, Brighton, to erect addition to office and store structure in a manufacturing (M-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval. Proposed second story rear addition will not exceed the current footprint or height of appellant's office and retail structure and will have little visible impact on Western Avenue Boulevard Planning District of the Allston-Brighton Interim Planning Overlay District. More than sufficient parking (21 spaces) is provided. Allston-Brighton Planning and Zoning Advisory Committee recommended approval.



CHARLES RIVER RESERVATION

CITY OF CAMBRIDGE
CITY OF BOSTON

APPROXIMATE
PIERHEAD
BULKHEAD
LINE

PLAYGROUND

Z-13635 367 WESTERN AVENUE BRIGHTON

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13646
Antonio Diaz
1-3 Centre Street
Roxbury

Site: One story structure

District(s): Local business (L-1)

Purpose: Change occupancy from retail sale and service of tires to same, auto repair and sale of used cars.

Violation(s): Outdoor sale of used cars is forbidden use.

Repair garage is conditional use.

Off street parking not allowed in front yard nor within five feet of side lot line.

Interim Planning Overlay District.

VOTED: In reference to petition Z-13646, Antonio Dian, 1-3 Centre Street, Roxbury, for forbidden use, conditional use and variance for change of occupancy from retail sale and service of tires to same, auto repair and sale of used cars in a local business (L-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval with proviso that plans be submitted to the Authority for design review approval. Proposed project is located within the Highland Park Subdistrict of the Roxbury Interim Planning Overlay District, and the John Eliot Square Historical District. The present use of a repair garage is consistent with goals of objectives of the neighborhood. Highland Park Joint Development Association reviewed the plans and voted to support this appeal with the following conditions:

A minimum number of cars be displayed on site; site plan indicating the number of vehicles to be parked on the site; that curb parking be prohibited and this be enforced by the operator; that facade of the building be consistent with the character of the neighborhood; that signage be consistent.



1-13646

1-5 CENTRE STREET ROXBURY

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13647
Lawrence Galer
94-96 Hemenway Street
Boston

Site: Three story structure

District(s): Apartment (H-3)

Purpose: Change occupancy from five apartments and store to same and 24 hour teller machine; install signage.

Violation(s): Office is forbidden use
Excessive size of sign

VOTED: In reference to petition Z-13647, Lawrence Galer, 94-96 Hemenway Street, Boston, for forbidden use and conditional use for change of occupancy from five apartments and store to same and 24 hour teller machine in an apartment (H-3) district, the Boston Redevelopment Authority recommends Deferral. Appellant should consider relocating ATMs to Westland Avenue side of property. The location of the two ATMs on Hemenway Street (as opposed to the more commercial Westland Avenue) and directly adjacent to a residential entrance represents an undesirable, 24-hour commercial encroachment into a residential street. In addition, the ATMs and their excessive signage would be visible from public parkland, the Fens, and would negatively impact the open space qualities of this area. Furthermore, this corner has had problems with traffic, double parking, prostitution and drug dealing, and these conditions may be exacerbated by the installation of two ATMs at this location.



BAY

BACK

FENWAY

BOSTON CONSERVATORY OF MUSIC

BOSTON CONSERVATORY OF MUSIC

TRADE HIGH SCHOOL FOR GIRLS

FIRE ALARM BOX

WESTLAND ENTRANCE

WESTLAND

SYMPHONY

GAINSBOROUGH

PARKING

7-13647

94-96 HEMERWAY STREET BOSTON

FORSYTH

PARK

PARKING

STEPHEN

OPERA

ALLEY

HALL

U.S. POST OFFICE ASTOR ST

BELVIDE

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13653
R&R Realty Trust
9-11 Kimball Street
Dorchester

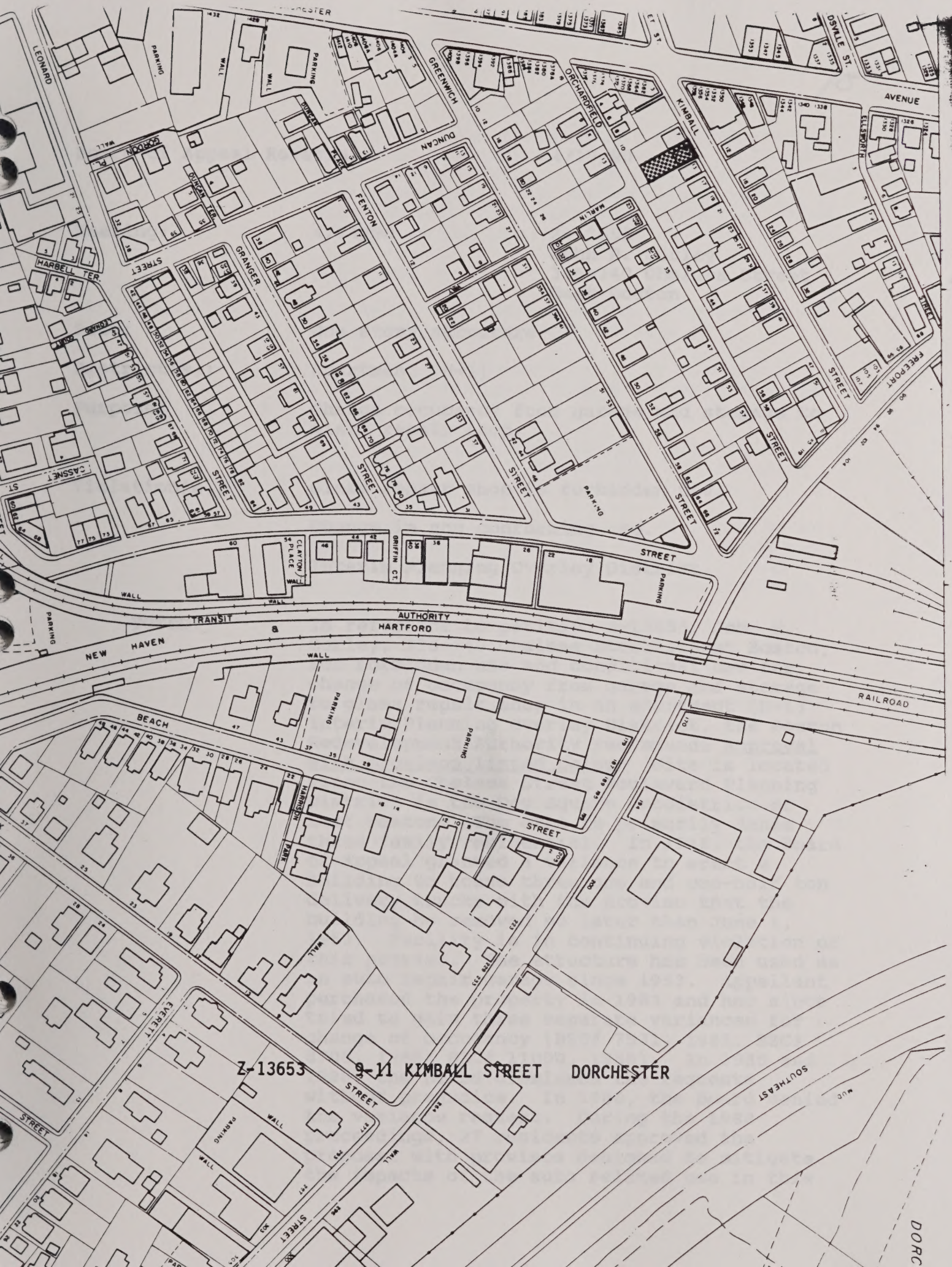
Site: Parking lot

District(s): General business (B-1)

Purpose: Provide parking for tenants and employees

Violation(s): Ancillary parking is conditional use.
Interim Planning Overlay District

VOTED: In reference to petition Z-13653, R & R Realty Trust, 9-11 Kimball Street, Dorchester, for conditional use to provide parking for tenants and employees in a general business (B-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval with the following provisos: that plans with particular respect to curbcuts, fencing, location of lighting, landscaping be submitted to the Authority for Design Review approval; that property be maintained free of debris at all times. Site is located in the Fields Corner subdistrict of the Dorchester Avenue Interim Planning Overlay District. Planning and Zoning Advisory Committee voted approval with above provisos.



Z-13653

9-11 KIMBALL STREET

DORCHESTER

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13655
John P. Curley
336-340 Chelsea Street
East Boston

Site: One story structure

District(s): Apartment (H-1)

Purpose: Change occupancy from garage and storage to glass repair shop.

Violation(s): Glass repair shop is forbidden use.
Change in non conforming use.
Interim Planning Overlay District.

VOTED: In reference to petition Z-13655, John P. Curley, 336-340 Chelsea Street, East Boston, for forbidden use and conditional use for change of occupancy from garage and storage to glass repair shop in an apartment (H-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval with provisos listed below: Site is located along the Chelsea Street Boulevard Planning District in the Day Square Subdistrict of East Boston. The area is primarily dense three family residential. In 1948, the Board of Appeal granted a variance to erect a building to house three one and one-half ton delivery trucks with the proviso that the building be removed no later than June 1, 1953. Facility is in continuing violation of this proviso. The structure has been used as an auto repair garage since 1953. Appellant purchased the property in 1983 and has since tried to gain three separate variances for change of occupancy (BZC# 7531, 1985; BZC# 8705, 1986; BZC# 11000, 1988). In 1985 and 1986, the Board dismissed the requests without prejudice. In 1988, the Board denied the variance request. During the 1988 proceedings, 27 residents approved the proposal with provisos designed to mitigate the impacts of the auto related use in this

extremely dense three decker neighborhood. The proposed use poses a decrease in those impacts but several of the provisos are still applicable given the residential density. Planning and Zoning Advisory Committee voted to approve the project April 11, 1990.

PROVISOS:

1. There will be no parking of automobiles adjacent to 342 Chelsea Street.

2. Hours of operation will be limited to 8:00 a.m. through 6:00 p.m., Monday through Friday.

3. There will be no storage of parts or vehicles held for the purpose of salvaging parts stored outside of the building.

4. There will be no storage of vehicles in need of repair on Chelsea Street during the day or at night. Arrangements will be made to store such vehicles at another location.

5. The sidewalk and driveway at 336-340 Chelsea Street will be kept clear at all times.

6. No work will be done in the street under any conditions.

7. No more than three cars may be stored on the premises at any given time and not regularly in the usual course of business. It is agreed that all vehicles will be stored either inside of the building or off the premises.



Z-13655

335-340 CHELSEA STREET

EAST BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13656
Bricklayers & Masons
Pension Fund of Boston
645 Wm. T. Morrissey Blvd.
Dorchester

Site: Two story structure

District(s): Local business (L-.5)

Purpose: Combine lots; erect three story addition to
office building.

Violation(s): Excessive floor area, height of building.
Insufficient front, rear yards, off street
parking.

VOTED: In reference to petition Z-13656, Bricklayers
& Masons, Pension Fund of Boston, 645 Wm. T.
Morrissey Boulevard, Dorchester, for five
variances to erect three story addition to
office building in a local business (L-.5)
district, the Boston Redevelopment Authority
recommends Approval with the following
provisos: That the addition and setback be
compatible with surrounding structures; that
shrubbery be planted and maintained at the
Freeport Street End of proposed parking (side
of addition); and, that construction not
negatively impact adjacent properties. Clam
Point Neighborhood Association supports.

ESTER

BAY

MUD

MALIBU
BEACH

BOULEVARD

APPROXIMATE

PIERHEAD

LINE

BULKHEAD

LINE

MUD

MUD

MUD

BRIDGE

WALL

WALL

MUD

WILLIAM T. MORRISSEY
DORCHESTER

MUD

MUD

EXPRESSWAY

FREEPORT

GAS TANK

645 WM T MORRISSEY BOULEVARD DORCHESTER

7-13656

ABANDONED TANK

ABANDONED TANK

POINT

STREET

BERNICE

SOUTHE

STREET

STREET

EVERDEAN

EVERD

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13657
J. Eddy Bazile
39-41 Howe Street
Dorchester

Site: 3622 Square feet of land

District(s): Residential, three-family (R-.8)

Purpose: Erect two family dwelling

Violation(s): Off street parking not allowed in front yard
nor within five feet of side lot line.

Insufficient lot area, open space, front,
side, rear yards.

VOTED: In reference to petition Z-13657, J. Eddy
Bazile, 39-41 Howe Street, Dorchester, for
seven variances to erect two-family dwelling
in a residential (R-.8) district, the Boston
Redevelopment Authority recommends Approval.
Proposed design is architecturally compatible
with neighborhood. Appellant has agreed to
change second floor hall octagonal window for
double hung window. Abutters support.



Z-13657

39-41 HOWE STREET

DORCHESTER

Board of Appeal Referrals

4/19/90

Hearing: 4/24/90 Z-13658
Margot P. Spaulding
16 Cumberland Street
Boston

Site: Four story structure

District(s): Apartment (H-2-45)

Purpose: Change occupancy from lodging house to five
apartments.

Violation(s): Dwelling converted for more families is
forbidden use.

Off street parking lot allowed in front yard
nor within five feet.

Excessive floor area.

Insufficient open space.

VOTED: In reference to petition Z-13658, Margot P.
Spaulding, 16 Cumberland Street, Boston, for
forbidden use and three variances for change
of occupancy from lodging house to five
apartments in an apartment (H-2-45) district,
the Boston Redevelopment Authority recommends
Approval with the following proviso: that
there be no parking in front or side yards.
There will be no change in exterior
architectural features visible from a public
way. St. Botolphs Citizens Committee has not
responded to calls from Authority.



2-13658

16 CUMBERLAND STREET

BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13662
Linda Hart
169 Temple Street
West Roxbury

Site:

District(s): Single-family (S-.3)

Purpose: Change occupancy from one- to two-family dwelling.

Violation(s): Two-family dwelling is forbidden use.

Insufficient lot area, front, side yards.

VOTED: In reference to petition Z-13662, Linda Hart, 169 Temple Street, West Roxbury, for forbidden use and three variances for change of occupancy from one- to two-family dwelling in a single family (S-.3) district, the Boston Redevelopment Authority recommends Denial. This property is in a neighborhood of single family homes with many abutters seeking to maintain this character. It is situated in an (S-.3) zone, the lowest density residential zone in the City. While the third floor was occupied by appellant's grandmother for a number of years, there is no hardship requiring the development of a second, income-producing unit for this home. Tax records indicate it is a single-family dwelling.

Among the problems cited by the neighbors is a serious lack of water pressure in the area, following the redevelopment of the nearby Ripley School site into condominiums. In addition, traffic concerns, the issues of transient tenants in the stable, single family area, and the precedent for other conversions were negative impacts mentioned.

The Zoning Advisory Committee of the West Roxbury Neighborhood Council voted to deny this conversion at its meeting of March 5, 1990.

Appellant has failed to demonstrate a hardship unique to this property.



Z-13662

169 TEMPLE STREET WEST ROXBURY

Hearing: 4/24/90 Z-13663
Harold Crowley
86 Pembroke Street
Boston

Site: Four-story structure

District(s): Apartment (H-2)

Purpose: Change occupancy from one- to two-family dwelling.

Violation(s): Dwelling converted for more families is conditional use.
Insufficient open space.

VOTED: In reference to petition Z-13663, Harold Crowley, 86 Pembroke Street, Boston, for conditional use and variance for change of occupancy from one- to two-family dwelling in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval. Two family dwelling compatible with residential neighborhood.



Z-13663

86 PEMBROKE STREET

BOSTON

Board of Appeal Referrals

4/19/90

16

Hearing: 4/24/90 Z-13664
Willa Mae Brothers
34 Algonquin Street
Dorchester

Site: Two story structure

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from one-family dwelling to
lodging house (10 lodgers).

Violation(s): Lodging house is conditional use.

Insufficient lot area, width, frontage, front
yard, off street parking.

Excessive building height.

VOTED: In reference to petition Z-13664, Willa Mae
Brothers, 34 Algonquin Street, Dorchester,
for conditional use and seven variances for
change of occupancy from one-family dwelling
to lodging house in a residential (R-.5)
district, the Boston Redevelopment Authority
recommends Approval with the following
provisos: that the use extend to appellant
only and expire upon sale, lease, rental or
other disposition of property; appellant
indicates this is an existing condition of
sixteen years.



7-13664

34 ALGONQUIN STREET

DORCHESTER

Board of Appeal Referrals

4/19/90

Hearing:

4/24/90

Z-13665

Carmen J. DePaulo
43 Bennington Street
East Boston

Site:

District(s):

Local business (B-1)

Purpose:

Change occupancy from one-family dwelling and office to two family dwelling and store.

Violation(s):

Dwelling converted for more families is forbidden use.

Insufficient lot width, open space, barrier free access.

Interim Planning Overlay District.

VOTED:

In reference to petition Z-13665, Carmen J. DePaulo, 43 Bennington Street, East Boston, for forbidden use and three variances for change of occupancy from one-family dwelling and office to two-family dwelling and store in a general business (B-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends Approval. Site is located along the Bennington Street Boulevard Planning District which bisects the Eagle Hill and Paris Street Flats Subdistricts. This is a major thoroughfare for the neighborhood and serves as a business and retail spine for the Eagle Hill and Paris Street Flats neighborhood that it bisects. This area and particularly along this stretch of Bennington Street is characterized by this type of vertical mixed use where the first floor is occupies by a retail/commercial/professional office use and the upper floors are a mix of residential and office uses. Dimensional violations cited are not considered an aberration from the existing surrounding land use patterns. Barrier free access violation may not require a state variance based on the cost of the renovation. Providing barrier free access on this site

would present substantial hardship on the appellant due to the size of the lot and the juxtaposition of the building onto the sidewalk. Proposal does not violate the goals and objectives of the Interim Planning Overlay District. Strong abutter support. No opposition recorded or received to date. The Planning and Zoning Advisory Committee voted approval, April 11, 1990.



Z-13665

43 BENNINGTON STREET EAST BOSTON

Hearing: 4/24/90 Z-13666
Michael Tuitt
27 Holmfield Avenue
Mattapan

Site: 2½-story structure

District(s): Single-family (S-.5)

Purpose: Enclose porch.

Violation(s): Insufficient front yard.

VOTED: In reference to petition Z-13666, Michael Tuitt, 27 Holmfield Avenue, Mattapan, for variance to enclose porch in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. Proposal will not increase front yard deficiency.



Z-13666

27 HOLMFELD AVENUE

MATTAPAN

Hearing:

5/1/90

Z-13667

Arthur H & Charles Walker

380-382 Warren Street

Roxbury

Site:

Four-story structure

District(s):

Apartment (H-1)

Purpose:

Change occupancy from three-family dwelling and store to three-family dwelling and Tavern.

Violation(s):

Tavern is forbidden use.

Change in non conforming use.

Barrier free access.

Interim Planning Overlay District.

VOTED:

In reference to petition Z-13667, Arthur H. & Charles Walker, 380-382 Warren Street, Roxbury, for forbidden use, change in non conforming use and variance for change of occupancy from three-family dwelling and store to three-family dwelling and Tavern in an apartment (H-1) Interim Planning Overlay District, the Boston Redevelopment Authority recommends approval. The property is located along a Boulevard Planning District within the Sav-Mor Subdistrict of the Roxbury IPOD. Tavern has existed for more than two decades at this location. Proposal is consistent with the goals and objectives of the Warren Street Boulevard Planning District. The Three-Street Neighborhood Association and the Roxbury PZAC reviewed the plans and voted support.



7-13667 380-382 WARREN STREET ROXBURY

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13669
Communications Studio
Trust
1742-1744 Washington St.
Boston

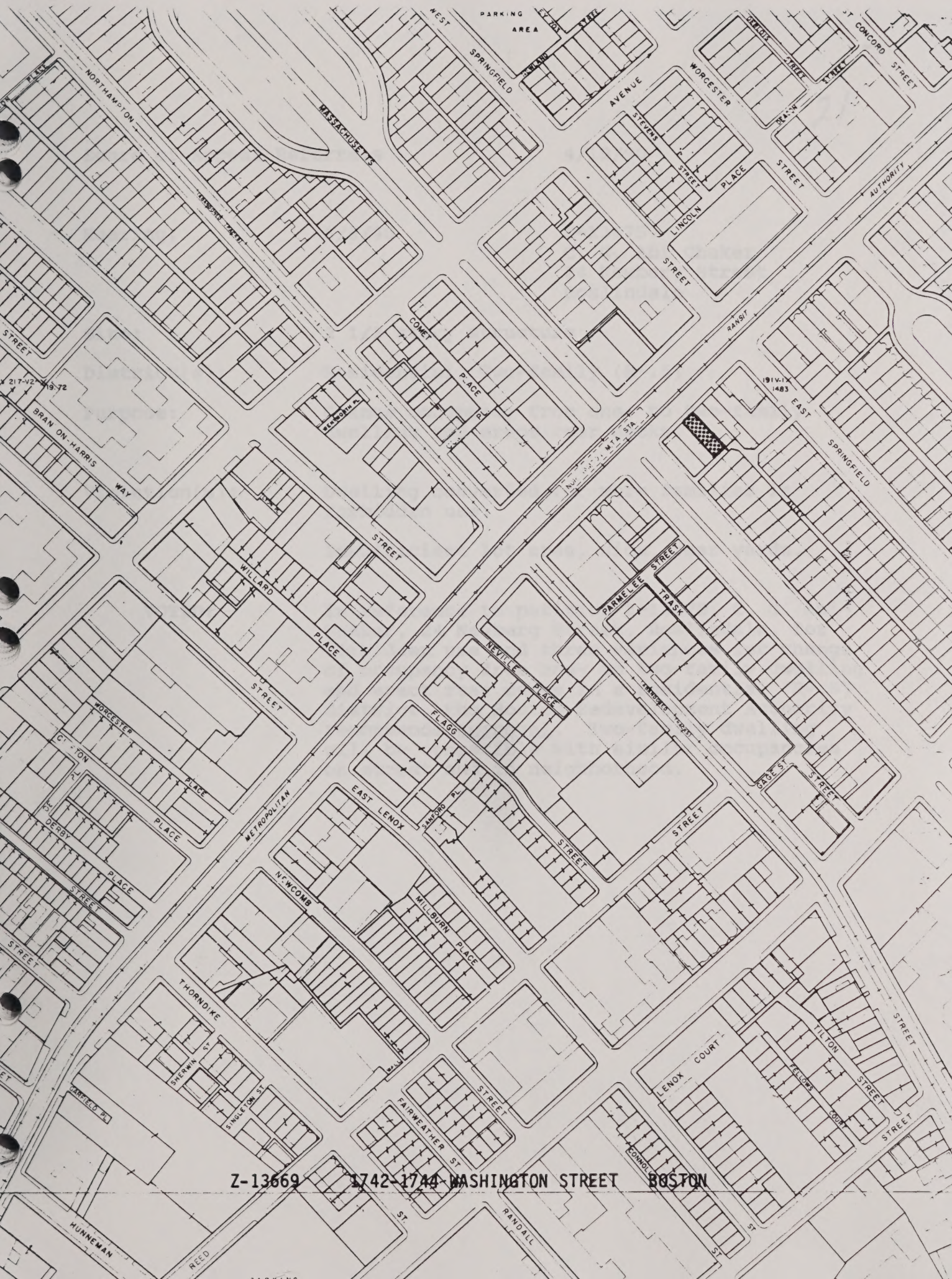
Site: Four story structure

District(s): General business (B-2)

Purpose: Change occupancy from restaurant to take out
restaurant; increase capacity from 58 to 64
seats.

Violation(s): Take out restaurant is conditional use.

VOTED: In reference to petition Z-13669,
Communications Studio Trust, 1742-1744
Washington Street, Boston, for conditional
use for change of occupancy from restaurant
to take out restaurant in a general business
(B-2) district, the Boston Redevelopment
Authority recommends Approval. Use
compatible with surrounding commercial
properties.



Z-13669

1742-1744 WASHINGTON STREET

BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 5/8/90 Z-13675
C. G. Abi Chaker
24 Newberg Street
Roslindale

Site: 2 1/2 story structure

District(s): Residential, Two-family (R-.5)

Purpose: Change occupancy from one- to two-family dwelling and erect rear decks.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area, side, rear yards.

VOTED: In reference to petition Z-13675, C. G. Abi-Chaker, 24 Newberg Street, Roslindale, for forbidden use and three variances for change of occupancy from one- to two-family dwelling and erect rear decks in a residential (R-.5) district, the Boston Redevelopment Authority recommends Approval. Two-family dwelling will be compatible with similar occupancies on street and in neighborhood.



HARTFORD

WEST ROXBURY BRANCH

TYNALLY STREET

(PROPOSED ST.)

GUERNSEY

EDGEMONT

BRADFORD CIRCLE

AVENUE

STREET

STREET

STREET

WAL WORTH

ROSLINDALE

24 NEWBERG STREET

Z-13675

Hearing: 5/8/90 Z-13677
Gonzalo & Consuelo Verduga
7 Sherbrook Street
West Roxbury

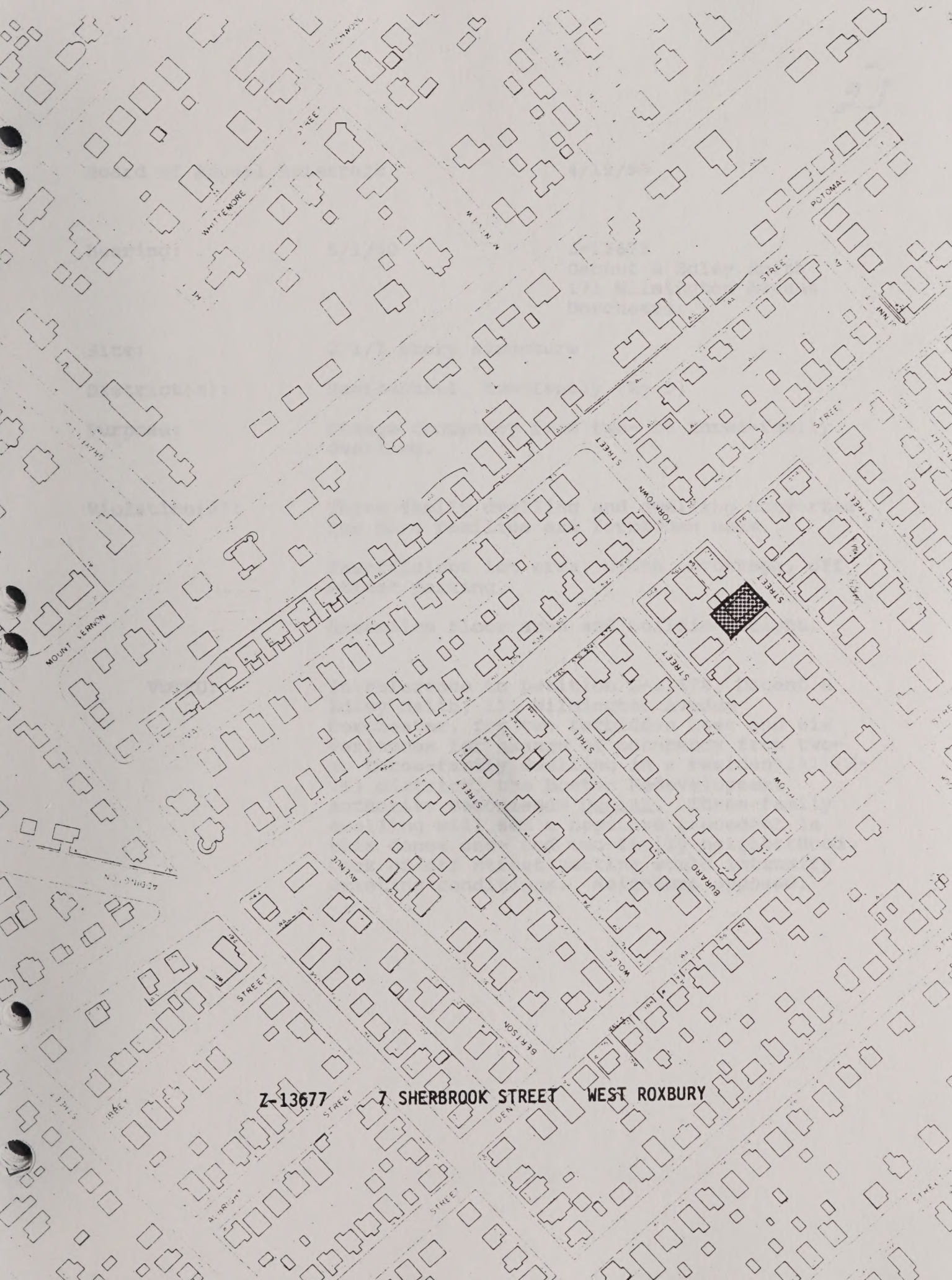
Site: One-story structure

District(s): Single-family (S-.5)

Purpose: Erect exterior stairs and six foot fence; rehabilitate area.

Violation(s): Excessive floor area.
Insufficient side and rear yards.

VOTED: In reference to petition Z-13677, Gonzalo & Consuelo Verduga, 7 Sherbrook Street, West Roxbury, for three variances to erect exterior stairs, six foot fence and rehabilitate attic in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that no kitchen be installed; that property remain a single-family dwelling; that exterior stairs be removed if and when property is sold. Zoning Advisory Committee of the West Roxbury Neighborhood Council voted support with provisos that property not be converted or space rented.



Z-13677

7 SHERBROOK STREET

WEST ROXBURY

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13678
Dacent & Edley Smith
171 Wilmington Avenue
Dorchester

Site: 2 1/2 story structure

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Three family dwelling and dwelling converted for more families are forbidden uses.

Insufficient lot area, width, frontage, off street parking.

Excessive floor area and building height.

VOTED: In reference to petition Z-13678, Dacent & Edley Smith, 171 Wilmington Avenue, Dorchester, for two forbidden uses and six variances for change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends Denial. Three-family dwelling will set a negative precedent in this dense one- and two-family neighborhood. Lack of off street parking would intensify existing conditions. Neighbors opposed.



Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13679
Donald C. D'Agostino
32 Orchard Street
Jamaica Plain

Site: 2 1/2 story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect two dormer additions

Violation(s): Excessive floor area.
Insufficient side yard.

VOTED: In reference to petition Z-13679, Donald C. D'Agostino, 32 Orchard Street, Jamaica Plain, for two variances to erect two dormer additions in a residential (R-.5) district, the Boston Redevelopment Authority recommends Approval. Proposed dormer additions are consistent with density and architectural character of the neighborhood and existing two-family home. Appellant has agreed to revise plans to include double-hung windows on proposed dormers, which would be more appropriate for the structure. One abutter has written in support.



Z-13679

MURRAY
CIRCLE

32 ORCHARD STREET

JAMAICA PLAIN

Hearing: 5/8/90 Z-13680
Antonio Cutone
56-58 Bellamy Street
Brighton

Site: 2½-story structure

District(s): Residential, two-family (R-.5)

Purpose: Erect garage addition.

Violation(s): Off-street parking not allowed in front yard nor within five feet of side lot line.

Insufficient front yard.

VOTED: In reference to petition Z-13680, Antonio Cutone, 56-58 Bellamy Street, Brighton, for two variances to erect garage addition in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Appellant's proposed one-story garage would sit directly at the street line with no setback. In addition, a sixteen-foot wide garage would require a large curb-cut that would eliminate at least one curb-side parking space, as well as blighting the character of this residential street. Furthermore, the garage structure would interrupt an attractive continuous slope that extends from the corner of Bellamy and Presentation Road to the left edge of appellant's property. Finally, appellant's side yard is available for parking, and he should consider this area as a preferable alternative to the front yard garage. Neighborhood parking problems should not be mitigated by bad urban design.



2-13680

56-58 BELLAMY STREET BRIGHTON

Board of Appeal Referrals

4/19/90

Hearing: 5/8/90 Z-13681 & Z-13683
Nicholas Contos
421-430 Congress Street
South Boston

Site: Parking lots

District(s): Industrial (I-2)

Purpose: Extend existing uses

Violation(s): At variance with previous Board of Appeal
decision.

Barrier free access.

VOTED: In reference to petition Z-13681 & Z-13683,
Nicholas Contos, 421-430 Congress Street,
South Boston, for four variances to extend
use of parking lots in an industrial (I-2)
district, the Boston Redevelopment Authority
recommends Approval with proviso that use
terminate at the end of two years. There
will be no increase in the number of spaces.

Board of Appeal Referrals

4/19/90

Hearing: 5/8/90 Z-13687
James P. & Jean F. Bourdon
313 Pond Street
Jamaica Plain

Site: 2½ Story Structure

District(s): Single-family (S-3)

Purpose: Install new bathroom

Violation(s): Excessive floor area

VOTED:

In reference to petition Z-13687, James P. & Jean F. Bourdon, 313 Pond Street, Jamaica Plain, for variance to install new bathroom in a single family (S-3) district, the Boston Redevelopment Authority recommends deferral to give appellant the opportunity to prepare and submit more detailed plans for community and Authority review. Although proposed bedroom and bathroom, in finished attic will provide extra living space for appellant and his family, no increase in traffic and parking demand, or impact on neighboring light and air quality would be created by this proposal. Plans submitted are too sketchy for sufficient review. Appellant has agreed to ask for a deferral to allow him to develop more complete plans. JP Zoning Committee recommend deferral.



2-13687 STREET

313 POND STREET

JAMAICA PLAIN

28

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13688
Robert Griffin
5R Salem Street
Charlestown

Site: Three story structure

District(s): Local business (L-1)

Purpose: Erect roof deck

Violation(s): Insufficient side, rear yards

VOTED: In reference to petition Z-13688, Robert Griffin, 5R Salem Street, Charlestown, for two variances to erect roof deck in a local business (L-1) district, the Boston Redevelopment Authority recommends Approval.



7-13688

5th SALEM STREET

CHARLESTOWN

PHIPPS STREET
CEMETERY

Hearing: 4/24/90 Z-13772
Donald Bullens
90A Birch Street
Roslindale

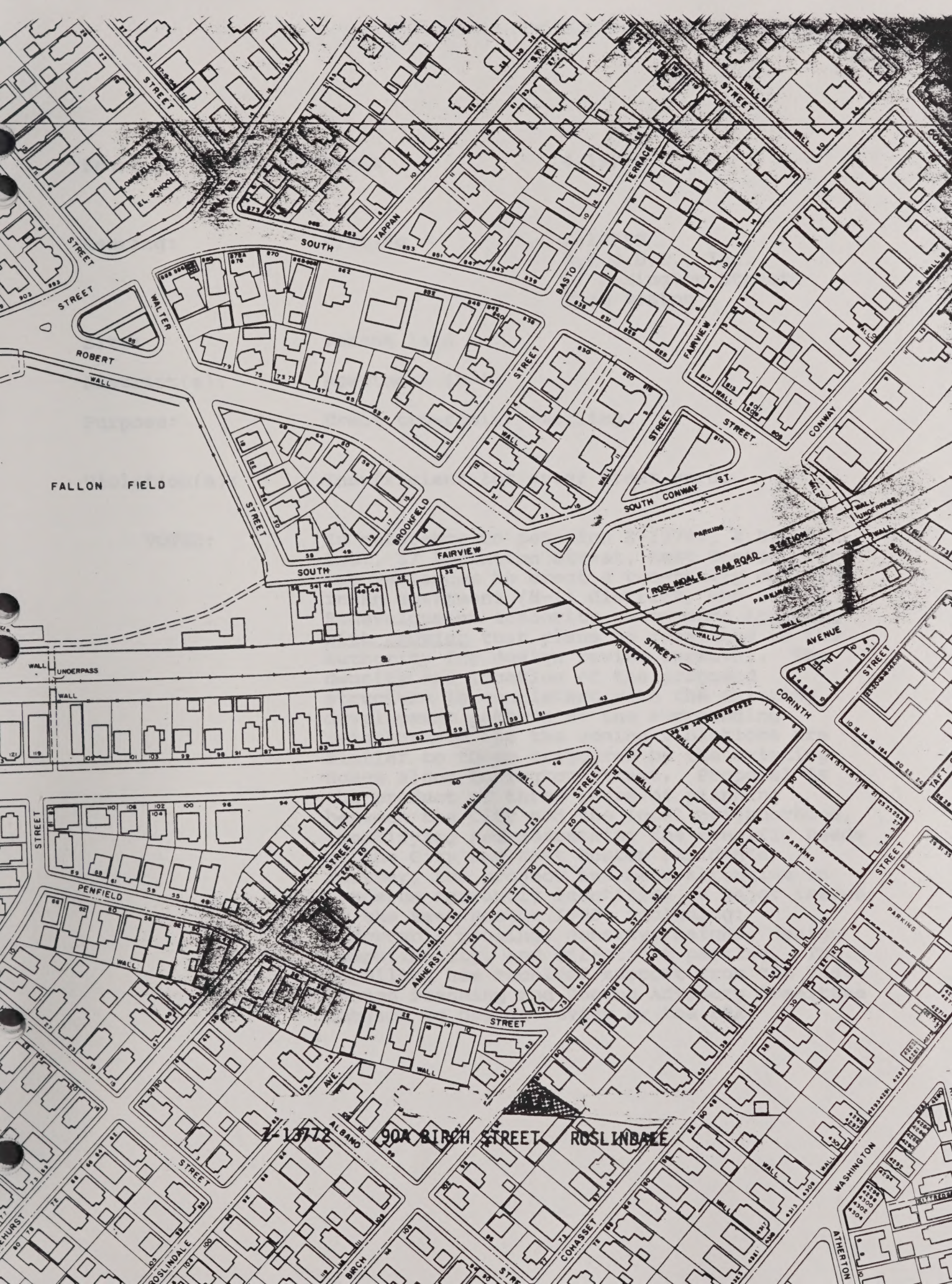
Site: 2½-story structure

District(s): Residential, two-family (R-.5)

Purpose: Change occupancy from garage to two apartments.

Violation(s): Insufficient lot area.

VOTED: In reference to petition Z-13772, Donald Bullens, 90A Birch Street, Roslindale, for variance for change of occupancy from garage to two apartments in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Adequate off-street parking. Community support.



FALLON FIELD

ROSLINDALE RAILROAD STATION

2-13712

90A BIRCH STREET ROSLINDALE

Board of Appeal Referrals

4/19/90

Hearing: 5/29/90 Z-13789
E.B.C.D.C., Inc.
37 Lexington Street
East Boston

Site: Vacant land

District(s): Apartment (H-1)

Purpose: Erect two-family dwelling

Violation(s): Insufficient lot area; front yard.

VOTED:

In reference to petition Z-13789, E.B.C.D.C., Inc., 37 Lexington Street, East Boston, for two variances to erect a two-family dwelling in an apartment (H-1) district, the Boston Redevelopment Authority recommends Approval with proviso that plans be submitted to the Authority for design review approval. The density and location of the proposed structure is consistent with the existing development pattern of the surrounding neighborhood and the zoning violations are similar to those triggered by the existing homes along Lexington Street. Proposal is the product of three years of planning between the City and the local neighborhood, identifying and addressing the specific needs of the City and East Boston residents. Further, the project has been attentive to concerns currently identified as major issues in the East Boston IPOD, including: affordable housing, density, height, design compatibility, and off-street parking. The Appellant has received support from the East Boston Planning and Zoning Advisory Committee subject to design review by the BRA.



Z-13789

37 LEXINGTON STREET

EAST BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 6/12/90 Z-13844 & Z-13845
EBCDC, Inc.
237-239 Trenton Street
East Boston

Site: Vacant land

District(s): Residential, two-family (R-.8)

Purpose: Erect two two-family dwellings

Violation(s): Insufficient lot area, front, side, rear yards.

VOTED: In reference to petitions Z-13844 & Z-13845, EBCDC, Inc., 237-239 Trenton Street, East Boston, for eight variances to erect two two-family dwellings in a residential (R-.8) district, the Boston Redevelopment Authority recommends Approval with proviso that plans be submitted to the Authority for design review approval. The density and location of the proposed structures are consistent with the existing development pattern of the surrounding neighborhood and the zoning violations are similar to those triggered by the existing homes along Trenton Street. The proposal is the product of three years of planning between the City and the local neighborhood, identifying and addressing the specific needs of the City and East Boston residents. Further, the project has been attentive to concerns currently identified as major issues in the East Boston Interim Planning Overlay District, including: affordable housing, density, height, design compatibility, and off-street parking. The appellant has received support from the East Boston Planning and Zoning Advisory Committee.



BOSTON
SCHOOL

GOSPEL
HALL

PRESCOTT
SQUARE

PHILIP M. SHERIDAN
SCHOOL

PUTNAM
SQUARE

ST. JOHN
BAPTIST
CHURCH

PATRICK
KENNEDY
SCHOOL

SACRED
HEART
SCHOOL

CONVENT

SACRED
HEART
C. CHURCH

AMERICAN

LEGION

PLAYGROUND

STANDS

EAGLE

Z-13844-45

237-239 TRENTON STREET

EAST BOSTON

Board of Appeal Referrals

4/19/90

Hearing: 5/8/90 Z-13874 & Z-14043
Daniel Carey
105 Homes Avenue
Dorchester

Site: One story structure

District(s): Residential, three-family (R-.8)

Purpose: Change occupancy from public to repair garage and outdoor sale of used cars; use premises for outdoor sale of used cars.

Violation(s): Repair garage and outdoor sale of used cars are forbidden uses.

VOTED: In reference to petition Z-13874 & Z-14043, Daniel Carey, 105 Homes Avenue, Dorchester, for three forbidden uses for change of occupancy from public to repair garage and outdoor sale of used cars; use premises for outdoor sale of used cars in a residential (R-.8) district, the Boston Redevelopment Authority recommends Denial. Proposed auto uses would be detrimental to this residential neighborhood and create a negative precedent. Two- and three-family dwellings abut rear, and both sides and opposite site. One way street and neighborhood can not absorb volume of traffic generated by use.



2-1387A & 14043

105 HOMES AVENUE DORCHESTER

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-13908
Virginia C. MacLean
15 Gwinnett Street
Hyde Park

Site: Two story structure

District(s): Single-family (S-.5)

Purpose: Erect two additions

Violation(s): Insufficient side, rear yards.

VOTED: In reference to petition Z-13908, Virginia C. MacLean, 15 Gwinnett Street, Hyde Park, for two variances to erect two additions in a single-family (S-.5) district, the Boston Redevelopment Authority recommends Approval. Appellant's rear yard abuts commuter rail right of way; side yard deficiency minimal.



13908

15

GWINNETT STREET

HYDE PARK

Board of Appeal Referrals

4/19/90

Hearing: 5/1/90 Z-14042
George J. Georges
142-144 Bunker Hill St.
Charlestown

Site: Three story structure

District(s): Local business (L-1)

Purpose: Combine buildings for six apartments and three stores.

Violation(s): Dwelling converted for more families is forbidden use.

Insufficient lot area, open space.

VOTED: In reference to petition Z-14042, George J. Georges, 142-144 Bunker Hill Street, Charlestown, for forbidden use and two variances to combines buildings for six apartments and three stores in a local business (L-1) district, the Boston Redevelopment Authority recommends Approval with the following provisos: that a structural examination be performed and necessary repairs completed: that the fire escape treatment be compatible with existing structure; that access to residential units be from Bunker Hill Street.



Z-14042

142-144 BUNKER HILL STREET CHARLESTOWN

Hearing: 9/11/90 Z-14057
Pasquale Esposito
38 Beachview Road
East Boston

Site: Vacant Land

District(s): Single-family (S-.5)

Purpose: Erect one-family dwelling.

Violation(s): Insufficient lot area, width, and frontage.

VOTED: In reference to petition Z-14057, Pasquale Esposito, 38 Beachview Road, East Boston, for three variances to erect one-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval. This is a resubmission of an earlier application heard before the Board of Appeal on March 6, 1990. The Board previously dismissed the application without prejudice citing technical irregularities in the plot plan, exterior design issues and lack of community input. The appellants have since addressed all the previous issues and the changes are reflected in the new facade and plot plans. The proposed single-family house has only three minor dimensional violations. The construction is considered an appropriate use. General neighborhood support has been forwarded since the community meeting held by appellants; one abutter remains in opposition.



Z-14057 38 BEACHVIEW ROAD - EAST BOSTON

Hearing: 5/8/90 Z-14050
Raymond M. La Fontaine
5 Crest Street
West Roxbury

Site: One Story Structure

District(s): Single-family (S-5)

Purpose: Legalize rear deck

Violation(s): Rear yard projection within ten feet of rear lot line.

VOTED: In reference to petition Z-14050, Raymond M. LaFontaine, 5 Crest Street, West Roxbury, for variance to legalize rear deck in a single-family (S-5) district, the Boston Redevelopment Authority recommends APPROVAL.



Z-14050 5 CREST STREET WEST ROXBURY

Hearing: 5/1/90 Z-13956-57-59-60
New England Deaconess
Hospital Corporation
380A-B Longwood Avenue
169-171 Pilgrim Road
18 Autumn Street, Boston

Site: Hospital Complex

District(s): Apartment (H-2)

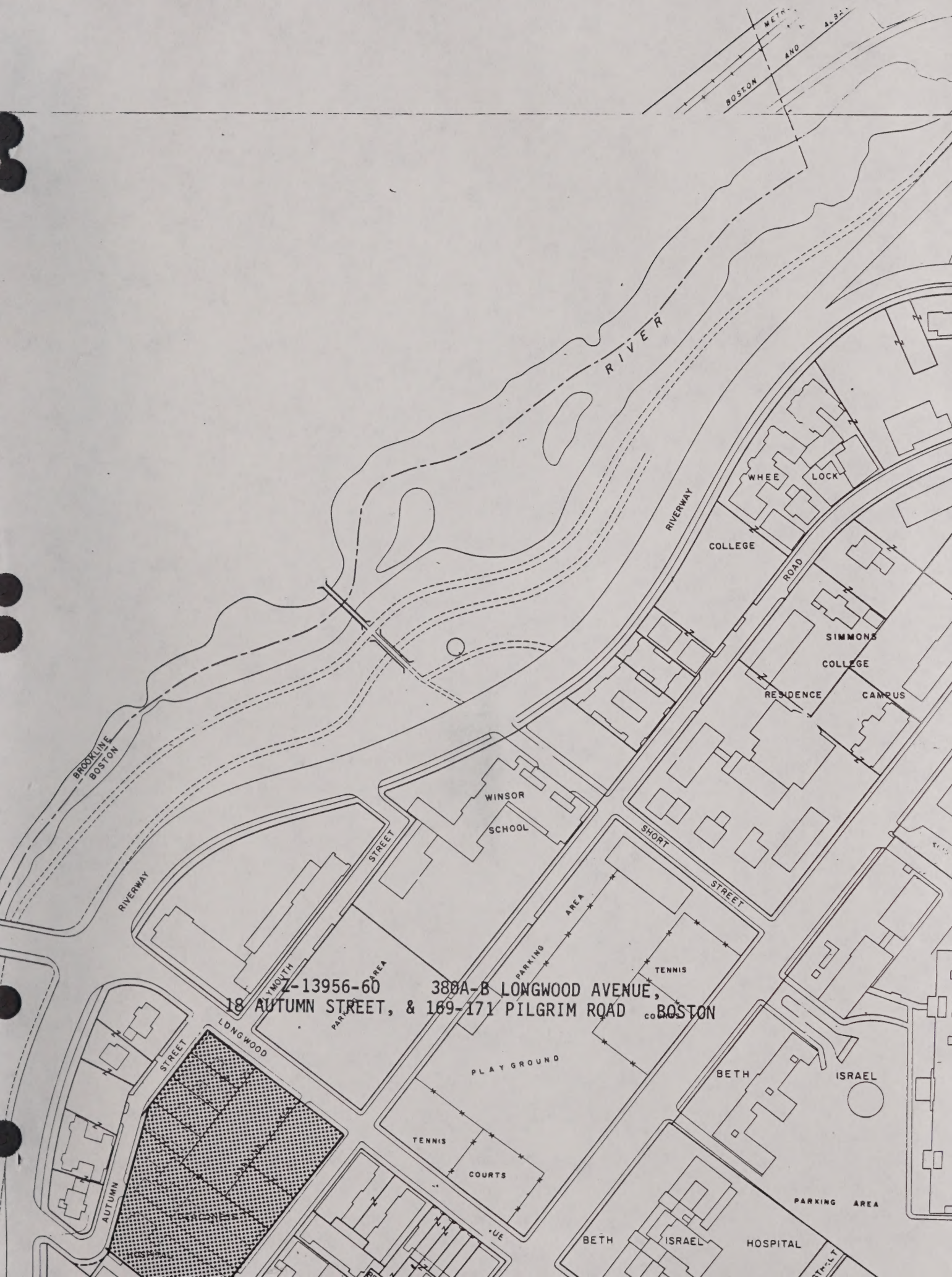
Purpose: Change occupancy to parking garage, open space, day care, accessory ancillary uses; erect play structures and fence; change occupancy to laundry and maintenance shop, professional offices, accessory, ancillary uses; erect loading facility; erect five story clinical and professional office building.

Violation(s): Day care center, hospital, accessory use are conditional use.

Insufficient front, side, and rear yards, setback of parapet, off-street loading.

Excessive floor area.

VOTED: In reference to petition Z-13956-13957-13959-13960, New England Deaconess, Hospital Corporation, 380A-B Longwood Avenue, 169-171 Pilgrim Road, 18 Autumn Street, Boston, for six conditional uses and thirteen variances for change of occupancy to parking garage, open space, day care, accessory, ancillary uses; to erect play structures and fence; change occupancy to laundry and maintenance shop, professional offices, accessory, ancillary uses; erect loading facility; erect five story clinical and professional office building in an apartment (H-2) district, the Boston Redevelopment Authority recommends deferral pending upcoming community review.



BROOKLINE
BOSTON

RIVER

WHEEL

LOCK

COLLEGE

SIMMONS

COLLEGE

RESIDENCE

CAMPUS

WINSOR

SCHOOL

SHORT

STREET

7-13956-60

388A-B LONGWOOD AVENUE,

18 AUTUMN STREET, & 169-171 PILGRIM ROAD BOSTON

SMOOTH

PARKING AREA

PARKING

AREA

TENNIS

PLAY GROUND

TENNIS

COURTS

BETH

ISRAEL

PARKING AREA

BETH

ISRAEL

HOSPITAL